

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 7262

BILL NUMBER: HB 1395

NOTE PREPARED: Jan 13, 2013

BILL AMENDED:

SUBJECT: Parole.

FIRST AUTHOR: Rep. Mahan

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: This bill has the following provisions:

- A. *Progressive Parole Incentives and Violation Sanctions*— It requires the parole board to create policies and a schedule that prescribe minimum standards of progressive parole incentives and violation sanctions. It provides that a parolee may be subject to progressive parole sanction violation under certain circumstances.
- B. *Parole Revocation*— It provides that if a parolee commits a new: (1) Class A felony or Class B felony, the parole board shall revoke parole; and (2) Class C felony or Class D felony, the parole board may revoke parole.

Effective Date: July 1, 2013.

Explanation of State Expenditures: *Parole Revocation* – Under current statute, offenders who are released on parole and subsequently commit a new Class C or Class D felony will have their parole revoked. Under the bill, the parole board may revoke the parole of these offenders, potentially resulting in lower incarceration costs.

An estimated 1,224 offenders who were on parole were recommitted to Department of Correction (DOC) for a new crime in FY 2012. If these offenders would be permitted to remain on parole and not be recommitted to DOC, the savings for DOC would likely be between \$4.0 M and \$15.6 M, depending on how the savings are calculated.

Estimated Savings for Keeping Offenders on Parole Rather than Revoking Parole for Committing a New Class C or D Felony					
	Savings per Offender		Number of Offenders		Annual Savings
Marginal Cost	\$3,234	x	1,224	=	\$4.0
County Jails	\$12,775	x	1,224	=	\$15.6

The marginal cost assumes that offenders can be housed in existing facilities with no additional staff, so the only added cost would be for medical care, food, and clothing. These added costs are estimated as \$3,234 each year.

The cost to house a DOC offender in a county jail is \$35 per day, or \$12,775 annually.

Background— LSA examined the sentencing records of offenders who were committed to DOC facilities in FY 2012. LSA then identified offenders who were released on parole between FY 2008 and FY 2012 and recommitted to DOC for a new Class C or Class D felony. This table probably underestimates the number of offenders who might be affected because offenders who were released on parole before July 1, 2007, and committed to DOC with a new felony between July 1, 2011, and June 30, 2012, would not have been identified in the commitment data.

Offenders on Parole Who were Committed to DOC for New Class C or D Felony in FY 2012						
	Felony of Offender's First Offense For Which the Offender was Released on Parole					
	Murder	Class A	Class B	Class C	Class D	Totals
Class C			34	109	200	343
Class D	1	5	86	162	627	881
Total	1	5	120	271	827	1,224

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Department of Correction.

Local Agencies Affected:

Information Sources: Department of Correction Offender Information System.

Fiscal Analyst: Mark Goodpaster, 317-232-9852.